

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

QUENTIN ANTWAN MITCHELL, #95256-080

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:09cv63-DCB-MTP

DR. T. GORDON, et al.

DEFENDANTS

ORDER OF TRANSFER

This cause comes before this court, *sua sponte*, to transfer this complaint to the United States District Court of the Eastern District of Texas pursuant to 28 U.S.C. § 1406(a). The plaintiff, a federal prisoner currently incarcerated in the Federal Correctional Institute, Yazoo City, Mississippi filed this complaint and requested *in forma pauperis* status on April 21, 2009. As discussed below, the instant civil action will be transferred to the proper district court.

“The district court of a district in which is filed a case laying venue in the wrong division or district “ may “in the interest of justice transfer such case to any district or division in which it could have been brought.” 28 U.S.C. § 1406(a). According to the complaint, all of the defendants are located in the Eastern District of Texas and the allegations of the complaint occurred in the Eastern District of Texas. Accordingly, it is

ORDERED that this civil action be transferred to the United States District Court of the Eastern District of Texas, Beaumont Division, at 300 Willow Street, Beaumont, Texas 77701, and that the complaint and motion to proceed *in forma pauperis* filed in this civil action shall be received in accordance with the local rules of the Eastern District of Texas.

SO ORDERED, this the 14th day of May, 2009.

s/David Bramlette

UNITED STATES DISTRICT JUDGE